



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,168	06/14/2001	Cary Lee Bates	ROC920010105US1	6848

7590 10/10/2003

Grant A. Johnson  
IBM Corporation - Dept. 917  
3605 Highway 52 North  
Rochester, MN 55901

EXAMINER

TRAN, QUOC DUC

ART UNIT	PAPER NUMBER
----------	--------------

2643

10

DATE MAILED: 10/10/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,168

Applicant(s)

BATES ET AL.

Examiner

Quoc D Tran

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Response to Arguments***

1. Applicant's arguments, pages 12-24, filed 7/23/2003, with respect to the rejection(s) of claim(s) 1-20 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of different interpretation of previously applied reference Cohen et al (5,946,380).

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 13 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Cohen et al (5,946,380).

Consider claim 1, Cohen et al teach a computer implemented method for implementing calling card security comprising the steps of: receiving a telephone call request from a calling card user (col. 2 lines 20-25, the "calling card" is being interpreted as "calling account"); sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record (col. 2 lines 35-45; col. 3 lines 20-23), said calling card record storing a calling card number and a time remaining for the calling card (col. 4 lines 42-56); said calling card record includes a plurality of predefined options and each said user selected options for the calling card (col. 4 lines 7-18); and processing said telephone call request

Art Unit: 2643

from the calling card user responsive to said identified user selected options for the calling card (col. 4 lines 56-67).

Consider claim 2, Cohen et al teach a computer implemented method includes the steps of identifying a telephone call request to setup a calling card from a calling card user (col. 4 lines 33-41) and performing setup to receive and store user selected options for the calling card (col. 2 lines 22-30; col. 4 lines 1-10).

Consider claim 13, Cohen et la teach a computer program product for implementing calling card security with a server computer, said computer program product including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions, when executed by said server computer, cause the server computer to perform the steps of: responsive to a user request to setup a calling card, performing setup to receive and store user selected options for said calling card (col. 2 lines 20-30; col. 4 lines 1-10); receiving a telephone call request from a calling card user(col. 2 lines 20-25, the “calling card” is being interpreted as “calling account”); responsive to said telephone call request from the calling card user, sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record (col. 2 lines 35-45; col. 3 lines 20-23), said calling card record storing a calling card number and a time remaining for the calling card (col. 4 lines 42-56); said calling card record includes a plurality of predefined options and each said user selected options for the calling card (col. 4 lines 7-18); and processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card (col. 4 lines 56-67).

Consider claim 20, Cohen et al teach a system for implementing calling card security comprising: a server computer (Fig. 1); a calling card security program including a plurality of computer executable instructions stored on a computer readable medium, wherein said instructions (Fig. 2), when executed by said server computer, cause the server computer to perform the steps of: receiving a telephone call request from a calling card user (col. 2 lines 20-25, the “calling card” is being interpreted as “calling account”); sequentially checking a plurality of predefined options to identify user selected options for the calling card using a stored calling card record (col. 2 lines 35-45; col. 3 lines 20-23), said calling card record storing a calling card number and a time remaining for the calling card (col. 4 lines 42-56); said calling card record includes a plurality of predefined options and each said user selected options for the calling card (col. 4 lines 7-18); and processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card (col. 4 lines 56-67).

4. Claims 3-4, 7-12, 14 and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (5,946,380) in view of Jankowitz et al (5,875,236).

Consider claims 3 and 14, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of *checking for use from a specified telephone number being enabled*. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 4, as discussed above, Jankowitz et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of checking for said telephone call request originating from a specified telephone number responsive to an identified use from a specified telephone number being enabled; and terminating said telephone call request responsive to said telephone call request not originating from said specified telephone number (col. 5 line 42 – col. 6 line 56).

Consider claims 7 and 17, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of checking for a limited number of calls from a specified telephone number being enabled. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 8, as discussed above, Jankowitz et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of comparing a number of calls from said specified telephone number with a threshold limit responsive to said limited number of calls from a specified telephone number being enabled; and terminating said telephone call request when said number of calls from said specified telephone number exceeds said threshold limit (col. 5 line 42 – col. 6 line 56).

Art Unit: 2643

Consider claims 9 and 16, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of checking for calls to a limited area being enabled. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 10, as discussed above, Jankowitz et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of comparing a telephone number dialed with said limited area responsive to calls to said limited area being enabled; and terminating said telephone call request when said telephone number dialed is outside said limited area (col. 5 line 42 – col. 6 line 56).

Consider claim 11 and 18, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of *checking for a limited time for calls being enabled*. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 12, Cohen et al did not clearly suggest wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected

options for the calling card includes the step of comparing a call duration with said limited time responsive to said limited time for calls being enabled; and terminating said call when said limited time for calls is exceeded. However, Jankowitz et al suggested such (abstract; col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

Consider claim 19, Cohen et al did not clearly suggest comparing said identified user selected options for the calling card with said telephone call request from the calling card user and terminating the telephone call when said telephone call request differs from said identified user selected options for the calling card. However, Jankowitz et al suggested such (col. 5 line 42 – col. 6 line 56). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Jankowitz et al into view of Cohen et al in order to increase security and integrity of the calling card network.

5. Claims 5-6 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cohen et al (5,946,380) view of Sawyer et al (6,324,271).

Consider claim 5 and 15, Cohen et al did not clearly suggest wherein the step of checking said plurality of predefined options to identify user selected options for the calling card includes the step of *checking for voice recognition being enabled*. However, Sawyer et al suggested such (col. 2 line 53 – col. 3 line 6). Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate the teaching of Sawyer et al into view of Cohen et al in order to increase security and integrity of the calling card network.



Art Unit: 2643

Consider claim 6, as discussed above, Sawyer et al teach wherein the step of processing said telephone call request from the calling card user responsive to said identified user selected options for the calling card includes the step of requesting the calling card user to speak a phrase responsive to voice recognition being enabled; comparing a received voice pattern with a stored voice pattern; and terminating said telephone call request when a match of the voice patterns is not found (col. 2 line 53 – col. 3 line 6).

***Conclusion***

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

7. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks  
Washington, D.C. 20231


Facsimile responses should be faxed to:  
**(703) 872-9314**

Hand-delivered responses should be brought to:  
Crystal Park II, 2121 Crystal Drive  
Arlington, VA., Sixth Floor (Receptionist)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(703) 306-5643**. The examiner can normally be reached on Monday-Thursday from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(703) 305-4708**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(703) 306-0377**.



Quoc D. Tran  
Patent Examiner AU 2643  
October 6, 2003